

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

VS.

CIVIL ACTION NO. 1:00-cr-66 (DCB)

ELIZABETH DARLENE MORRIS

DEFENDANT

ORDER

This cause is before the Court on the defendant Elizabeth Darlene Morris (now Darlena Stratton)'s letter motion to reduce or dissolve remaining restitution amount **(docket entry 12)**. Having carefully considered the defendant's motion, the court finds as follows:

This is a garnishment action initiated by the United States to enforce an order of restitution entered by the United States District Court for the Southern District of Alabama (Criminal No. 98-00042). In her motion, the defendant seeks modification of her restitution order. The Court construes the defendant's motion as a motion brought pursuant to 18 U.S.C. § 3664(k) to alter the defendant's restitution based upon a change in her economic circumstances. As this Court was not the sentencing court, it lacks jurisdiction to consider the defendant's motion, which must be directed to the United States District Court for the Southern District of Alabama. The motion shall therefore be denied without prejudice so that the defendant may file her motion in the proper court. Accordingly,

IT IS HEREBY ORDERED that the defendant Elizabeth Darlene Morris (now Darlena Stratton)'s letter motion to reduce or dissolve remaining restitution amount **(docket entry 12)** is DENIED WITHOUT PREJUDICE, for lack of jurisdiction.

SO ORDERED, this the 24<sup>th</sup> day of April, 2008.

s/ David Bramlette  
UNITED STATES DISTRICT JUDGE